

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property)
 Adjacent to County Road P-77, aka Timoney Road,)
 near Rainier, Oregon, to Dale R. and Gail A. Gallien) **ORDER NO. 5- 2015**
)
 [Tax Map ID No. 7N2W21-AB-01700])
 _____)

WHEREAS, on July 26, 1940, Columbia County acquired a strip of land through foreclosure proceedings commonly referred to as Tax Map ID No. 7N2W21-AB-01700 and Tax Account Nos. 436023 and 436024 (hereinafter the "Property") by Deed on Tax Foreclosure recorded in the County Clerk's deed records at Book 66, page 343; and

WHEREAS, this Property is more particularly described as:

The West 2 Rods of the Isaac Voorhees Donation Land Claim (DLC) No. 44 in Section 21, Township 7 North, Range 2 West, of the Willamette Meridian.

EXCEPTING THEREFROM: That portion dedicated to the public by Columbia County, Oregon, per Order No. 56 – 2014 of the Board of County Commissioners and recorded in the County Clerk's deed records as Instrument Number 2014-008565.

And

WHEREAS, this Property is deemed surplus to the County's needs and because of its size, narrow shape and location, the highest and best use of the property would be to add it to an adjoining property; and

WHEREAS, on August 6, 2013, Dale and Gail Gallien, adjoining property owners, submitted an offer to the County to purchase this parcel in the amount of \$750, tendering that amount to purchase the Property and the sum of \$45 to cover recording and handling fees; and

WHEREAS, ORS 275.225 permits the County to sell county land by private sale, provided that the property has a real market value of less than \$15,000 on the most recent assessment roll prepared for the County, and is unsuited for construction or placement of a dwelling under current zoning ordinances and building codes of the County; and

WHEREAS, the Property has been assessed a real market value of \$2,000, and because of its size and shape is unsuited for construction or placement of a dwelling; and

WHEREAS, pursuant to ORS 275.225, Notice of Private Sale was published in the Clatskanie Chief, a newspaper of general circulation, on June 12, 2014, and more than 15 days has elapsed since publication of

said Notice; and

WHEREAS, no further offers have been received by the County pursuant to this Notice;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

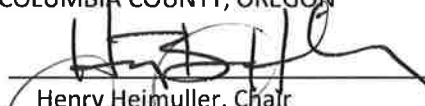
1. Pursuant to ORS 275.225, the Board finds the offer of Dale and Gail Gallien to be a reasonable offer for this property and hereby authorizes the sale of the above-described Property to Dale and Gail Gallien for \$750.

2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Map ID No. 7N2W21-AB-01700 and Tax Account Nos. 436023 and 436024 to Dale R. Gallien and Gail A. Gallien, which is attached hereto, in substantially the same form, as Exhibit A and by this reference incorporated herein, for the sum of \$750, receipt of which is hereby acknowledged.

3. The original Quitclaim Deed shall be recorded in the County Clerk deed records for the sum of \$45.

DATED this 18th day of February, 2015.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Henry Heimuller, Chair

By: 
Anthony Hyde, Commissioner

By: 
Earl Fisher, Commissioner

Approved as to form:

By: 
Office of County Counsel

EXHIBIT A

GRANTOR'S NAME AND ADDRESS:

Board of County Commissioners
or Columbia County, Oregon
c/o Natural Resource Administrator
230 Strand, Room 331
St. Helens, OR 97051

AFTER RECORDING, RETURN TO GRANTEE:

Dale & Gale Gallien
Post Office Box 905
Rainier, OR 97048

Until a change is requested, all tax statements shall be sent to
Grantee at the address so indicated, above

QUITCLAIM DEED

The **COUNTY OF COLUMBIA**, a political subdivision of the State of Oregon, hereinafter called Grantor, for the consideration hereinafter stated, does hereby release and quitclaim unto **DALE R. GALLIEN and GAIL A. GALLIEN**, hereinafter called Grantees, all right, title and interest in and to the following described parcel of real property situated in the County of Columbia, State of Oregon, Tax Map ID No. 7N2W21-AB-01700 and Tax Account Nos. 436023 and 436024, and more particularly described as follows:

The West 2 Rods of the Isaac Voorhees Donation Land Claim (DLC) No. 44 in Section 21, Township 7 North, Range 2 West, of the Willamette Meridian.

EXCEPTING THEREFROM: That portion dedicated to the public by Columbia County, Oregon, per Order No. 56 – 2014 of the Board of County Commissioners and recorded in the County Clerk's deed records as Instrument Number 2014-008565.

The true and actual consideration for this conveyance is \$750.00.

This conveyance is subject to the following exceptions, reservations and conditions:

- 1) This property is conveyed AS-IS without covenants or warranties, subject to any municipal liens, easements and encumbrances of record.
- 2) All rights to any County, public, forest or Civilian Conservation Corps roads are hereby reserved for the benefit of Columbia County, Oregon.
- 3) All rights to any minerals, mineral rights, ore, metals, metallic clay, oil, gas or hydrocarbon substances in, on or under said property, if any, including underground storage rights, and also including the use of such water from springs, creeks, lakes or wells to be drilled or dug upon the premises as may be necessary or convenient for such exploration or mining operations, as well as the conducting of operations related to underground storage and production of gaseous substances on the property, are specifically excepted, reserved and retained for the benefit of Columbia County, Oregon, together with the right of ingress and egress thereto for the purpose of exercising the rights hereby excepted, reserved and retained.

This conveyance is made pursuant to Board of County Commissioners Order No. ___ - 2015 adopted on the

____ day of February, 2015, and filed in Commissioners Journal at Book ___, Page ___.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the Grantor has executed this instrument this _____ day of _____, 2015.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: _____
Henry Heimuller, Chair

By: _____
Office of County Counsel

STATE OF OREGON)
) ss.
County of Columbia)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ____ day of _____, 2015, by Henry Heimuller, Chair, Board of County Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon